

AMENDMENTS TO THE DRAWINGS

The attached "Replacement Sheets" of drawings include changes to Figures 2, 4 and 5D. The attached "Replacement Sheets," which include Figures 2, 4 and 5D, replaces the original sheets including Figures 2, 4 and 5D.

Attachment: Replacement Sheets

REMARKS

Claims 1 and 3-23 remain pending in the present application. Claims 20 and 21 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

OBJECTION TO THE DRAWINGS

Three replacement sheets including Figures 2, 4 and 5d have been included. The reference numerals 70 and 72 have been deleted from Fig. 2. The reference numeral 70 has been added to Figure 4. The reference numeral 26 in Figure 5d has been changed to reference numeral 20. Fig. 3 overcomes the Examiner's objection to the reference numerals 42 and 60.

OBJECTION TO THE SPECIFICATION

Applicants have amended paragraph [0030] as suggested by the Examiner. Also, Applicants would like to point out to the Examiner that Figure 5A illustrates reference numeral 78.

Applicants believe the changes made to the specification overcome the Examiner's objections.

REJECTIONS UNDER 35 U.S.C §112, SECOND PARAGRAPH

The Examiner has rejected Claim 20 under 35 U.S.C. §112, second paragraph, alleging it to be indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicants have amended Claim 20 in an attempt to overcome the Examiner's 35 U.S.C. §112, second paragraph, rejection. In light of the above amendments to Claim

20, Applicants believe Claim 20 to overcome the Examiner's 35 U.S.C. §112 rejection and respectfully request withdrawal of the same.

CLAIM REJECTION UNDER 35 U.S.C. §102(b)

The Examiner has rejected Claim 20 under 35 U.S.C. §102(b) alleging it to be anticipated by Schickerling (U.S. Patent No. 6,112,420).

Claim 20 has been amended. Claim 20 further defines that the second portion of the carrier couples the carrier with a drive from the motor. Additionally, the cam member is spaced from the clamp such that the cam member functions separately and independently of the clamp.

The Schickerling reference cited by the Examiner fails to illustrate Applicants' claim. Schickerling does not include a second portion that couples the carrier with a drive from the motor. Additionally, the Schickerling reference illustrates a cam 102, identified by the Examiner, that is always in contact with the clamp 70. Accordingly, clamp 70 is always dependent on the function of the cam 102. These two do not function independently from one another.

Additionally, the clamp and cam are not spaced from nor are they separate from one another. The clamping member cannot function without the cam in Schickerling. This is not the case in Applicants' device. Applicants' cam operates separately and independently from its clamp. Accordingly, the Schickerling reference fails to illustrate Applicants' claim. Thus, Applicants believe Claim 20 to be patentably distinct over the art cited by the Examiner.

CLAIM REJECTION UNDER 35 U.S.C. §103(a)

The Examiner has rejected Claim 1 under 35 U.S.C. §103(a) alleging it to be unpatentable over Wright. The Examiner states the following:

“It would have been obvious to one of ordinary skill in the art to have tried/experimented with the follower that rolls instead of slides along the walls of the slot.”

...

“If this leads to the anticipated success, it is likely the product is not of innovation but of ordinary skill and common sense.”

The United States Supreme Court in KSR International Co. v. Teleflex Inc., 127 S. Ct. 1727, 82 USPQ2d 385 (2007) stated:

Often, it will be necessary for a court to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit. See, In re Kahn, 441 F.3d. 977 at 988 (CA Fed. 2006) (“[R]ejections on obvious grounds cannot be sustained by mere conclusory statements; instead, these must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness”).

While it may be obvious to try a roller in the slot, as suggested by the Examiner, the reference does not illustrate the lateral walls claimed by Applicants. The Examiner has failed to provide any explicit reasoning why Wright would have the claimed walls, only his naked assertion that it would be obvious to try. There is no rationale underpinning as to why, as required by KSR International, only the Examiner’s conclusion. The Examiner’s conclusion is gleamed from hindsight and is not taught by the cited art.

Accordingly, Applicants believe Claims 1, as well as dependent Claims 3-10, to be patentably distinct over the art cited by the Examiner.

The Examiner has rejected Claims 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Wright in view of Neubert.

The combination with Neubert fails to overcome the deficiencies of Wright. Accordingly, the Examiner's combination fails to illustrate Applicants' claims. Thus, Applicants believe Claims 9 and 10 to be patentably distinct over the art cited by the Examiner.

The Examiner has rejected independent Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Wright. The Examiner provides the same reasoning with respect to Claim 11 as in Claim 1.

As pointed out with respect to Claim 1, the Examiner's reasoning is flawed. Accordingly, for the above reasons, Claim 11, like Claim 1, is patentably distinct over the art cited by the Examiner. Accordingly, dependent Claims 12-19 which depend from Claim 11 are patentably distinct over the art cited by the Examiner.

The Examiner has rejected Claims 16, 17, 18 and 19 under 35 U.S.C. §103(a) as being unpatentable over Wright in view of numerous secondary and tertiary references. The combination of Wright with Zeiter et al., Zeiter et al. and Wild, and Neubert et al. fail to overcome the deficiencies of Wright. Accordingly, Applicants believe these claims to be patentably distinct over the art cited by the Examiner.

The Examiner has rejected Claim 21-23 under 35 U.S.C. §103(a) as being unpatentable over Neubert et al. in view of Wright.

Claim 21 has been amended to further point out that the first pair of rails is integrally formed on and extends from opposite sides of the housing. The first pair of rails is spaced from one another. Additionally, the base portion includes a second pair

of rails laterally extending from the base. The second pair of rails is spaced from one another to form a gap between them. The second pair of rails slidably engages the first pair of rails. Additionally, the base portion of the housing includes a latch to secure it in a locked position.

The Neubert and Wright combination cited by the Examiner fails to illustrate Applicants' claims. Neubert illustrates a sword saw with a vacuum suction attachment. The attachment includes a single prong that secures into an overhang as is illustrated in Fig. 2. The Neubert combination does not illustrate two pairs of rails as claimed by Applicants. The Examiner's alleged first pair of rails does not project from the lateral sides of the saw. Additionally, there is no gap between the second alleged pair of rails identified by the Examiner.

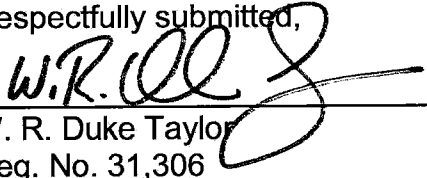
Accordingly, Applicants believe Claim 21 to be patentably distinct over the art cited by the Examiner. Thus, Applicants believe Claim 21, as well as dependent Claims 22 and 23, to be patentably distinguishable over the art cited by the Examiner.

In light of the above amendments and remarks, Applicants would submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

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